

[*Parkhurst v. L.K. Comstock & Co., Inc.*](#), 85-ERA-41 (Sec'y Dec. 13, 1989)

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U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: December 13, 1989
CASE NO. 85-ERA-41

IN THE MATTER OF

BONNIE J. PARKHURST,
COMPLAINANT,

v.

L. K. COMSTOCK & COMPANY, INC.
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

ORDER APPROVING SETTLEMENT AND DISMISSING CASE

This case arises under section 210 of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1982). Before me for approval is a settlement agreement, submitted in response to the Secretary's Order of March 3, 1987, entered into by the parties in the case.

The terms of the settlement agreement have been carefully reviewed. The settlement appears to encompass the settlement of matters arising under various laws, only one of which is the ERA. As stated in *Poulos v. Ambassador Fuel Co. Inc.*, Case No. 86-

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CAA-1, Secretary's Order, issued November 2, 1987, slip op. at 2:

[The Secretary's] authority over settlement agreements is limited to such statutes as are within [the Secretary's] jurisdiction and is defined by the applicable statute. See *Aurich v. Consolidated Edison Company of New York Inc.*, Case No. CAA-2,

Secretary's Order Approving Settlement, issued July 29, 1987; *Chase v. Buncombe County N.C.*, Case No. 85-SWD-4, Secretary's Decision and Order on Remand, issued November 3, 1986.

I have, therefore, limited my review of the settlement agreement to determining whether the terms thereof are a fair, adequate and reasonable settlement of Complainant's allegation that Respondent violated the ERA. I find the terms of the agreement within the scope of my authority to be fair, adequate and reasonable and I, therefore, approve it.

Accordingly, the complaint in this case is DISMISSED WITH PREJUDICE. Settlement Agreement, page 5, ¶ 2.

SO ORDERED.

ELIZABETH DOLE

Secretary of Labor

Washington, D.C.